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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**FILED**

APR 07 2004  
CLERK'S OFFICE  
U. S. DISTRICT COURT  
EASTERN MICHIGAN

VENTURE INDUSTRIES CORP.,

Plaintiffs,

-vs-

Civil No. 99-75354

AUTOLIV ASP, INC.,

Defendants,

\_\_\_\_\_ /

MEMORANDUM AND ORDER ON PREJUDGMENT INTEREST

On December 4, 2003 the Court entered a judgment in favor of plaintiffs for \$27,576,001.00 following a jury verdict in that amount. On December 15, 2003 plaintiffs filed a motion styled Plaintiffs' Motion to Amend Judgment Pursuant to Fed. R. Civ. P. 59(e) to include:

1. A statement certifying the judgment as final,
2. An award of \$16,256,202.96 for prejudgment interest.

Following a status conference on January 15, 2004 at which the Court raised several issues regarding plaintiffs' calculation of prejudgment interest, plaintiffs' filed a brief styled Supplemental Brief in Support of Plaintiffs' Motion to Amend Judgment Pursuant to Fed. R. Civ. P. 59(e). The brief was accompanied by a calculation of prejudgment interest of \$5,878,972 as of December 4, 2003, the date of the verdict. The manner in which interest was calculated is explained in the brief. Thereafter, defendant filed a brief styled Defendant's Brief in Opposition to Plaintiffs' Supplemental

Brief in Support of its Motion to Amend Judgment Pursuant to Fed. R. Civ. P. 59(e). In opposition defendant took issue with the manner in which plaintiffs calculated prejudgment interest. However, defendant did not offer an alternative calculation.

Absent an alternative calculation, the Court accepts plaintiffs calculation. Accordingly, a final amended judgment will be entered nunc pro tunc December 4, 2003 in the aggregate amount of \$33,445,973.00. (\$27,567,001.00 plus \$5,878,972.00 prejudgment interest).

SO ORDERED.

  

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AVERN COHN  
United States District Judge

Dated: **APR 07 2004**